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| <b>DECLARATION AND POWER OF ATTORNEY<br/>FOR UTILITY OR DESIGN<br/>PATENT APPLICATION<br/>(37 CFR 1.63)</b> |                                | Attorney Dkt. No. 2954-173                    |
| Declaration   |                                | First Named Inventor Guenther HAMBITZER et al |
| <b>COMPLETE IF KNOWN</b>  |                                |   |
| Submitted with Initial Filing   | Submitted after Initial Filing | Application No.                               |
|   |                                | Filing Date                                   |
|   |                                | Group Art Unit                                |
|   |                                | Examiner Name                                 |

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint Inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: RECHARGEABLE ELECTROCHEMICAL BATTERY CELL; the specification of which was filed on January 16, 2003 as PCT International Application Number PCT/DE03/00103 and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or Inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Numbers | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached?<br>YES NO |
|-----------------------------------|---------|----------------------------------|----------------------|------------------------------------|
| 102 01 936.3                      | DE      | January 19, 2002                 |                      | No                                 |

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S. 03

We hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
|-----------------------|--------------------------|
|                       |                          |

I hereby appoint the registered practitioner(s) associated with Customer No. 6449 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number 6449.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |   |           |                 |
|---|---|-----------|-----------------|
| NAME OF SOLE OR FIRST INVENTOR:           | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |           |                 |
| Given Name<br>(first and middle [if any]) | Guenther  |           |                 |
| Family Name<br>or Surname                 | HAMBITZER   |           |                 |
| Inventor's Signature                      | 07/06/2004  |           |                 |
| Residence: City Pfinztal                  | DEX   | State     | Country Germany |
| Mailing Address Durlacher Weg 9a          |   |           |                 |
| Mailing Address                           |   |           |                 |
| City Pfinztal                             | State   | Zip 76327 | Country Germany |

|   |   |           |                 |
|---|---|-----------|-----------------|
| NAME OF SECOND INVENTOR:                  | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |           |                 |
| Given Name<br>(first and middle [if any]) | Claudia   |           |                 |
| Family Name<br>or Surname                 | WOLLFARTH   |           |                 |
| Inventor's Signature                      | 07/07/2004  |           |                 |
| Residence: City Karlsruhe                 | DEX   | State     | Country Germany |
| Mailing Address Haldenwangstr. 4          |   |           |                 |
| Mailing Address                           |   |           |                 |
| City Karlsruhe                            | State   | Zip 76227 | Country Germany |

|  |                |  |                                     |
|--|----------------|--|-------------------------------------|
| NAME OF THIRD INVENTOR:  |                | <input type="checkbox"/> A petition has been filed for this<br>unsigned inventor |                                     |
| Given Name<br>(first and middle [if any]) <u>Ingo</u>  |                | Family Name<br>or Surname <u>STASSEN</u>   |                                     |
| Inventor's Signature  |                | Date <u>07/07/2004</u>   |                                     |
| Residence: City <u>Karlsruhe</u>   | <u>Dresden</u> | State  | Country Germany Citizenship Germany |
| Mailing Address <u>Im Speiter 27 Sagarder Weg 2 DEX</u>  |                |  |                                     |
| Mailing Address  |                |  |                                     |
| City <u>Karsruhe</u>   | State          | Zip <u>76229</u>   | Country Germany <u>OLMO</u>         |

|   |       |  |                     |
|---|-------|--|---------------------|
| NAME OF FOURTH INVENTOR:  |       | <input type="checkbox"/> A petition has been filed for this<br>unsigned inventor |                     |
| Given Name<br>(first and middle [if any]) <u>Klaus</u>  |       | Family Name<br>or Surname <u>SCHORB</u>  |                     |
| Inventor's Signature  |       | Date   |                     |
| Residence: City <u>Rheinstetten-Forchheim</u>   | State | Country Germany  | Citizenship Germany |
| Mailing Address <u>Karlsruher Strasse 114</u>   |       |  |                     |
| Mailing Address   |       |  |                     |
| City <u>Rheinstetten-Forchheim</u>  | State | Zip <u>76287</u>   | Country Germany     |

|   |       |  |                     |
|---|-------|--|---------------------|
| NAME OF FIFTH INVENTOR:                                     |       | <input type="checkbox"/> A petition has been filed for this<br>unsigned inventor |                     |
| Given Name<br>(first and middle [if any]) <u>Christiane</u> |       | Family Name<br>or Surname <u>RIPP</u>  |                     |
| Inventor's Signature  |       | Date   |                     |
| Residence: City <u>Pfinztal</u>                             | State | Country Germany  | Citizenship Germany |
| Mailing Address <u>Wesostr. 10</u>                          |       |  |                     |
| Mailing Address   |       |  |                     |
| City <u>Pfinztal</u>  | State | Zip <u>76327</u>   | Country Germany     |

|   |       |   |                            |
|---|-------|---|----------------------------|
| <b>NAME OF THIRD INVENTOR:</b>                        |       | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |                            |
| Given Name<br>(first and middle [if any]) <u>Ingo</u> |       | Family Name<br>or Surname <u>STASSEN</u>                                      |                            |
| Inventor's Signature                                  |       | Date  |                            |
| Residence: City <u>Karlsruhe</u>                      | State | Country <u>Germany</u>  | Citizenship <u>Germany</u> |
| Mailing Address <u>Im Speitel 27</u>                  |       |   |                            |
| Mailing Address                                       |       |   |                            |
| City <u>Karlsruhe</u>                                 | State | Zip <u>76229</u>  | Country <u>Germany</u>     |

|  |       |   |                            |
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| <b>NAME OF FOURTH INVENTOR:</b>                          |       | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |                            |
| Given Name<br>(first and middle [if any]) <u>Klaus</u>   |       | Family Name<br>or Surname <u>SCHORB</u>                                       |                            |
| Inventor's Signature <u>Klaus Schorb</u>                 |       | Date <u>07/07/2004</u>  |                            |
| Residence: City <u>Rheinstetten-Forchheim</u>            | State | Country <u>Germany</u>  | Citizenship <u>Germany</u> |
| Mailing Address <u>Karlsruher Strasse 114</u> <u>DEX</u> |       |   |                            |
| Mailing Address  |       |   |                            |
| City <u>Rheinstetten-Forchheim</u>                       | State | Zip <u>76287</u>  | Country <u>Germany</u>     |

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| <b>NAME OF FIFTH INVENTOR:</b>                              |       | <input type="checkbox"/> A petition has been filed for this unsigned Inventor |                            |
| Given Name<br>(first and middle [if any]) <u>Christiane</u> |       | Family Name<br>or Surname <u>RIPP</u>   |                            |
| Inventor's Signature  |       | Date  |                            |
| Residence: City <u>Pfinztal</u>                             | State | Country <u>Germany</u>  | Citizenship <u>Germany</u> |
| Mailing Address <u>Wesostr. 10</u>                          |       |   |                            |
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|   |                                | First Named Inventor Guenther HAMBITZER et al |
| <b>COMPLETE IF KNOWN</b>  |                                |   |
| Declaration<br><br>Submitted with Initial Filing  | Submitted after Initial Filing | Application No.                               |
|   |                                | Filing Date                                   |
|   |                                | Group Art Unit                                |
|   |                                | Examiner Name                                 |

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| Prior Foreign Application Numbers | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached?<br>YES      NO |
|-----------------------------------|---------|----------------------------------|----------------------|---|
| 102 01 936.3                      | DE      | January 19, 2002                 |                      | No                                      |

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| NAME OF SOLE OR FIRST INVENTOR:                    | <input type="checkbox"/> A petition has been filed for this unsigned inventor |            |                 |
| Given Name<br>(first and middle [if any]) Guenther | Family Name<br>or Surname   | HAMBITZER  |                 |
| Inventor's Signature<br><i>Guenther Hambitzer</i>  | Date  | 07/06/2004 |                 |
| Residence: City Pfintzal                           | State   | Country    | Germany         |
| Mailing Address Durlacher Weg 9a                   |   |            |                 |
| Mailing Address                                    |   |            |                 |
| City Pfintzal                                      | State   | Zip 76327  | Country Germany |

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| NAME OF SECOND INVENTOR:                          | <input type="checkbox"/> A petition has been filed for this unsigned inventor |            |                 |
| Given Name<br>(first and middle [if any]) Claudia | Family Name<br>or Surname   | WOLLFARTH  |                 |
| Inventor's Signature<br><i>Claudia Wolffarth</i>  | Date  | 07/07/2004 |                 |
| Residence: City Karlsruhe                         | State   | Country    | Germany         |
| Mailing Address Haldenwangstr. 4                  |   |            |                 |
| Mailing Address                                   |   |            |                 |
| City Karlsruhe                                    | State   | Zip 76227  | Country Germany |

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| Inventor's Signature                            |       | Date  |                     |
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| Mailing Address                                 |       |   |                     |
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| <b>NAME OF FIFTH INVENTOR:</b>                       |           | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |
| Given Name<br>(first and middle [if any]) Christiane |           | Family Name<br>or Surname RIPP  |                     |
| Inventor's Signature<br><i>Christiane Ripp</i>       |           | Date 07/10/04   |                     |
| Residence: City Pfingstal                            | State DEX | Country Germany   | Citizenship Germany |
| Mailing Address Wesostr. 10                          |           |   |                     |
| Mailing Address                                      |           |   |                     |
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| Inventor's Signature<br><i>Guenther Hambitzer</i>  | Date  | 07/06/2004      |                     |
| Residence: City Pfinztal                           | State   | Country Germany | Citizenship Germany |
| Mailing Address Durlacher Weg 9a                   |   |                 |                     |
| Mailing Address                                    |   |                 |                     |
| City Pfinztal                                      | State   | Zip 76327       | Country Germany     |

|   |   |                 |                     |
|---|---|-----------------|---------------------|
| NAME OF SECOND INVENTOR:                          | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |                     |
| Given Name<br>(first and middle [if any]) Claudia | Family Name<br>or Surname   | WOLLFARTH       |                     |
| Inventor's Signature<br><i>Claudia Wolffarth</i>  | Date  | 07/07/2004      |                     |
| Residence: City Karlsruhe                         | State   | Country Germany | Citizenship Germany |
| Mailing Address Haldenwangstr 4                   |   |                 |                     |
| Mailing Address                                   |   |                 |                     |
| City Karlsruhe                                    | State   | Zip 76227       | Country Germany     |

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